INTERNET FORM NLRB-501

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

DO	NOT	WRITE	IN THIS	SPACE

FORM EXEMPT UNDER 44 U.S.C 3512

Case Date Filed

October 29, 2018

10-CA-230085 INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT b. Tel. No a. Name of Employer **Emory University Hospital** c. Cell No. f. Fax No. d. Address (Street, city, state, and ZIP code) e. Employer Representative g. e-Mail 1364 Clifton Rd NE GA Atlanta 30322-1064 h. Number of workers employed 1200 i. Type of Establishment (factory, mine, wholesaler, etc.) j. Identify principal product or service Healthcare k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) --See additional page--3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C) Title:	mg road name and name of
4a. Address (Street and number, city, state, and ZIP code)	4b. Tel. No. (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	4c. Cell No.
	4d. Fax No.
	4e. e-Mail (b) (6), (b) (7)(C)
Full name of national or international labor organization of which it is an af organization)	

DECLA I declare that I have read the above charge and that the state		(b) (6), (b) (7)(C)
By (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) Title:	Office, if any, Cell No.
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
(b) (6), (b) (7)(C)	10/28/2018 14:41:14 (date)	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(4)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) filed charges or cooperated with the NLRB.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) 2018	



REGION 10 233 Peachtree St NE Harris Tower Suite 1000 Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

October 30, 2018

Emory University Hospital 1364 Clifton Rd NE Atlanta, GA 30322-1064

Re: Emory University Hospital

Case 10-CA-230085

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney LAURA EVINS whose telephone number is (470)343-7482. If this Board agent is not available, you may contact Regional Attorney LISA HENDERSON whose telephone number is (470)343-7485.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JOHN D. DOYLE, JR. Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

	NATIONAL LABOR RELA	TIONS BOARD			
QUESTIONNAIRE ON COMMERCE INFORMATION					
Please read carefully, answer all applicable ite	ms, and return to the NLRB Office. If additio	nal space is required, please add a page and id	lentify item number.		
CASE NAME			E NUMBER		
			CA-230085		
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal	documents forming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] L	LP [] PARTNERSHIP [] SOLE	E PROPRIETORSHIP [] OTHER (Spec	rify)		
3. IF A CORPORATION or LLC					
A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIO	NSHIP (e.g. parent, subsidiary) OF ALL REI	LATED ENTITIES		
4. IF AN LLC OR ANY TYPE OF PART	NERSHIP, FULL NAME AND ADDRE	SS OF ALL MEMBERS OR PARTNERS			
5. IF A SOLE PROPRIETORSHIP, FUL	L NAME AND ADDRESS OF PROPRI	ETOR			
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Products ha	ndled or manufactured, or nature of services	performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH LO	CATIONS:			
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED				
A. Total:	B. At the address involved in this m	natter:			
9. DURING THE MOST RECENT (Chec			(FY dates)
				YES	NO
A. Did you provide services valued in a	excess of \$50,000 directly to customer	s outside your State? If no, indicate actu	ıal value.		
\$ B. If you answered no to 9A, did you p	rovide services valued in excess of \$5	0 000 to customers in your State who pu	rchased goods		
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valued in excess of \$50,000 from dif	ectly outside your State? If no, indica	ate the value of any such services you	ı provided.		
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

EMORY UNIVERSITY HOSPITAL Charged Party and (b) (6), (b) (7)(C) Charging Party	Case 10-CA-230085	
AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER I, the undersigned employee of the National Labor Relations Board, state under oath that on October 30, 2018, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses: Emory University Hospital 1364 Clifton Rd NE Atlanta, GA 30322-1064		
October 30, 2018 Date	TABATHA THOMAS, Designated Agent of NLRB Name	

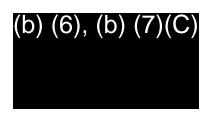
/s/ Tabatha Thomas
Signature



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



October 30, 2018



REGION 10

233 Peachtree St NE

Harris Tower Suite 1000

Atlanta, GA 30303-1504

Re: Emory University Hospital Case 10-CA-230085

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on October 29, 2018 has been docketed as case number 10-CA-230085. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney LAURA EVINS whose telephone number is (470)343-7482. If this Board agent is not available, you may contact Regional Attorney LISA HENDERSON whose telephone number is (470)343-7485.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

JOHN D. DOYLE, JR. Regional Director

REGION 10 233 Peachtree St NE Harris Tower Ste 1000 Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

November 26, 2018

Emory University Hospital 1364 Clifton Rd NE Atlanta, GA 30322-1064

Re: Emory University Hospital

Case 10-CA-230085

Dear Sir or Madam:

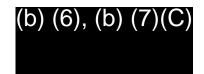
This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JOHN D. DOYLE, JR.

Regional Director

cc



Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

a. Name of Employer

Tenet Healthcare Corporation

DO NOT WRITE IN THIS SPACE

Case Date Filed

10-CA-244461 July 8, 2019

b. Tel. No.

(b) (6), (b) (7)(C)

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

		c. Cell No. (b) (6), (b) (7)(C)
d. Address (street, city, state ZIP code) 1400 S. Douglass Rd., Anaheim, CA	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No.
92806		g. e-Mail
		h. Dispute Location (City and State) Stockbridge, GA
i. Type of Establishment (factory, nursing home,	j. Principal Product or Service	k. Number of workers at dispute location
hotel) Healthcare Services	Healthcare	115,500
National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce to	I is engaging in unfair labor practices within the mea or practices are practices affecting commerce within within the meaning of the Act and the Postal Reorga	the meaning of the Act, or these unfair labor inization Act.
Basis of the Charge (set forth a clear and concise)	se statement of the facts constituting the alleged unf	air labor practices)
Circa aband (D) (D) (7)(C) 2010 tha Francis		
of rights protected by Section 7 of the A	oloyer has interfered with, restrained, and act by denying employee(b) (6), (b) (7)(coerced its employees in the exercise
for for protected concerted activities.		a ment pay increase in retailation
proteoted donocited donvines.		
3. Full name of party filing charge (if labor organization) (b) (6), (b) (7)(C)	ation, give full name, including local name and numb	er)
4a. Address (street and number, city, state, and ZI	P code)	4b. Tel. No.
(b) (6), (b) (7)(C)		(b) (6), (b) (7)(C)
		4c. Cell No. (b) (6), (b) (7)(C)
		4d Fax No
		4e. e-Mail
5. Full name of national or international labor organ	nization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor
organization)		I T . N
6. DECLARATION I declare that I have read the above charge a	nd that the statements are true to the best of	Tel. No. (b) (6), (b) (7)(C)
my knowledge and belief.	ind that the statements are true to the best of	(b) (b), (b) (1)(c)
By:	(b) (6), (b) (7)(C)	Office, if any, Cell No. (b) (6), (b) (7)(C)
(signature of representative or person making ch		Fax No.
Address: (b) (6), (b) (7)(C)	Date:	e-Mail

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



Download NLRB Mobile App

July 8, 2019

(b) (6), (b) (7)(C)
Tenet Healthcare Corporation 1400 S. Douglass Road
Anaheim, CA 92806

REGION 10

233 Peachtree St NE

Harris Tower Ste 1000

Atlanta, GA 30303-1504

Re: Tenet Healthcare Corporation

Case 10-CA-244461

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Laura Evins whose telephone number is (470)343-7482. If this Board agent is not available, you may contact Regional Attorney Lisa Henderson whose telephone number is (470)343-7485.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

John D. Doyle, Jr. Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	Revised 3/21/2011 NATIONAL LABOR RELATIONS BOARD					
QUESTIONNAIRE ON COMMERCE INFORMATION						
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.						
CASE NAME				CASE NUMBER		
1 EVACTICAL TITLE OF ENTITY	(A. Cl. 1. 'd. Ct. 4	1.1		10-CA-244461		
1. EXACT LEGAL TITLE OF ENTITY (As med with State and/or stated in lega	ai docum	ents forming entity)			
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] I	LP [] PARTNERSHIP [] SOI	LE PROP	RIETORSHIP [] OTHER	R (Specify)		
3. IF A CORPORATION or LLC A STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELATION	ONCHID	(a.g. passant subsidiags) OF AI	I DELATED ENTIFIES		
OR FORMATION	B. NAME, ADDRESS, AND RELATI	ONSHIP	(e.g. parent, subsidiary) OF A1	L RELATED ENTITIES		
4 IF ANALGOD ANALTYDE OF BAR	ENERGING EVILL MANE AND ADDR	Ecc OF	ALL MEMBERS OF BART	NEDG		
4. IF AN LLC OR ANY TYPE OF PART	INERSHIP, FULL NAME AND ADDR	ESS OF	ALL MEMBERS OR PART	NERS		
5. IF A SOLE PROPRIETORSHIP, FUI	LL NAME AND ADDRESS OF PROPE	RIETOR				
6. BRIEFLY DESCRIBE THE NATURE	C OF YOUR OPERATIONS (Products)	handled o	r manufactured, or nature of se	ervices performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH LO	OCATIO	NS:			
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED					
A. Total:	B. At the address involved in this	matter:				
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALENDAR Y	/R []]	2 MONTHS or [] FISCA	L YR (FY dates)
					YES	NO
A. Did you provide services valued in	excess of \$50,000 directly to custome	ers outsi	de your State? If no, indica	te actual value.		
B. If you answered no to 9A, did you p	rovide services valued in excess of	\$50,000	to customers in your State v	vho purchased goods		
	rectly outside your State? If no, indi-					
\$						
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If						
less than \$50,000, indicate amount. \$						
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate						
amount. \$						
E. If you answered no to 9D, did you so	ell goods valued in excess of \$50,000 less of \$50,000 from directly outside					
\$	ess of \$50,000 from affectly outside	your sta	ic. It less than \$50,000, in	dicate amount.		
F. Did you purchase and receive good	ds valued in excess of \$50,000 from o	directly (outside your State? If less t	han \$50,000, indicate		
amount. \$ G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points						
outside your State? If less than \$5		enterpris	es who received the goods of	irectly from points		
H. Gross Revenues from all sales or p		argest a	mount)			· · · · · ·
[]\$100,000 []\$250,000 []\$5	00,000 [] \$1,000,000 or more If les	ss than \$	100,000, indicate amount.			
I. Did you begin operations within	the last 12 months? If yes, specify	date: _				
10 ARE YOU A MEMBER OF AN ASSO	OCIATION OR OTHER EMPLOYER	GROUP	THAT ENGAGES IN COLL	ECTIVE BARGAINING	5 ?	
[] YES [] NO (If yes, name and	address of association or group).					
11. REPRESENTATIVE BEST QUALIFI					(DEP	
NAME	TITLE	E-MA	L ADDRESS	TEL. NUN	IBEK	
	RIZED REPRESENTATIVE (COMP			ATE	
NAME AND TITLE (Type or Print)	SIGNATURE		E-MAIL ADDRESS	D.	ATE	

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

TENET HEALTHCARE CORPORATION	
Charged Party	
and	Case 10-CA-244461
(b) (6), (b) (7)(C)	
Charging Party	

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 8, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)
Tenet Healthcare Corporation

Tenet Healthcare Corporation 1400 S. Douglass Road Anaheim, CA 92806

July 8, 2019	Judy D. Bailey, Designated Agent of NLRB
Date	Name
	/s/Judy D. Bailey
	Signature



Download

REGION 10 233 Peachtree St NE Harris Tower Ste 1000 Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

Download NLRB Mobile App

July 8, 2019



Re: Tenet Healthcare Corporation Case 10-CA-244461

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on July 08, 2019 has been docketed as case number 10-CA-244461. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney Laura Evins whose telephone number is (470)343-7482. If this Board agent is not available, you may contact Regional Attorney LISA HENDERSON whose telephone number is (470)343-7485.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

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necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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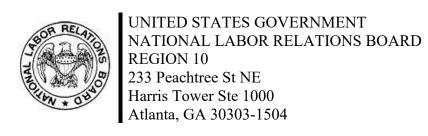
Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

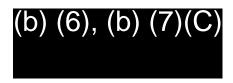
John D. Doyle, Jr. Regional Director

John DDoyle V



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

July 26, 2019



Re: Tenet Healthcare Corporation Case 10-CA-244461

Dear (b) (6), (b) (7)(C):

We have carefully considered your charge that Tenet Healthcare Corporation has violated the National Labor Relations Act.

Decision to Dismiss: I have determined that further proceedings are not warranted at this time and I am dismissing your charge.

It is a Charging Party's responsibility to cooperate fully in the investigation of their charge. As you were advised in the docketing letter, your charge may be dismissed without investigation if you fail to cooperate in promptly presenting your evidence.

You have not completed the confidential witness affidavit as required nor have you responded to the Board Agent's attempts to schedule this affidavit. Under these circumstances, I am dismissing your charge for failure to cooperate.

If you wish to refile this charge when you are available to cooperate fully in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the National Labor Relations Board and served on the charged party within six months of the conduct alleged to be unlawful.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on August 9, 2019. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later** than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than August 8, 2019. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before** August 9, 2019. The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after August 9, 2019 **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

JOHN D. DOYLE, JR. Regional Director

Enclosure

cc:

(b) (6), (b) (7)(C) Tenet Healthcare Corporation 1400 S. Douglass Road Anaheim, CA 92806

(b) (6), (b) (7)(C)

Tenet Healthcare 1445 Ross Avenue Suite 1400 Dallas, TX 75202-2703

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel	Date:
Attn: Office of Appeals	
National Labor Relations Board	
1015 Half Street SE	
Washington, DC 20570-0001	
	hereby taken to the General Counsel of the ction of the Regional Director in refusing to
issue a complaint on the charge in	thon of the Regional Director in letusing to
issue a complaint on the charge in	
Case Name(s).	_
Case No(s). (If more than one case number, i taken.)	nclude all case numbers in which appeal is
	(Signature)

Regional Director

INTERNET FORM NLRB-501

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

F	FORM EXEMPT UNDER 44 U.S.C 3512
DO NOT WRITE	IN THIS SPACE

Case 10-CA-264287 Date Filed August 6, 2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the 1. EMPLOYER AC	e alleged unfair labor practice occurred or is occurrin SAINST WHOM CHARGE IS BROUGHT	ng.	
a. Name of Employer		b. Tel. No.	
Memorial Health University Medical center		(615) 344-9551	
		c. Cell No.	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	I. Fax No.	
		g. e-Mail	
4700 water ave	(b) (6), (b) (7)(C)	int.contact@hcacare	
GA Savannah 31415		h. Number of workers employed	
		12	
Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Hospital		
k. The above-named employer has engaged in and is engaging it	•	tion 8(a) subsections (1) and (list	
subsections) 4,5			
practices are practices affecting commerce within the meaning		or Relations Act, and these unfair labor	
within the meaning of the Act and the Postal Reorganization A		nair practices affecting commerce	
2. Basis of the Charge (set forth a clear and concise statement of	of the facts constituting the alleged unfair labor pra	actices)	
See additional page			
See additional page			
3. Full name of party filing charge (if labor organization, give full name, including local name and number)			
(b) (6), (b) (7)(C) Title:			
4a. Address (Street and number, city, state, and ZIP code)		4b. Tel. No.	
		(b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)		4c. Cell No.	
		4d. Fax No.	
		4e. e-Mail	
		(b) (6), (b) (7)(C)	
5. Full name of national or international labor organization of wh	ـــــــــــــــــــــــــــــــــــــ		
organization)		<u> </u>	
6. DECLARATION		Tel. No.	
I declare that I have read the above charge and that the statements	are true to trie best of my knowledge and belief.	(b) (6), (b) (7)(C)	
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	Office, if any, Cell No.	
By (signature of representative or person making charge) (Friethype name and title or office if any)			
Fax No.			
		e-Mail	
(b) (6), (b) (7)(C)	08/6/2020 16:24:27	(b) (6), (b) (7)(C)	
Address	(date)		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee discharged	Approximate date of discharge
D) (Ö) (Ö)	®16%.®17%.°/2020
(b) (6), (b) (7)(C)	®®® <mark>®</mark> 2020
Harassing	02/4/2020
Harassment	02/15/2019

8(a)(4)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) filed charges or cooperated with the NLRB.

Name of employee discharged	Approximate date of discharge
Harrsment	02/12/2019

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by threatening to retaliate against employees if they joined or supported a union.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	^{©16,©} /2020

8(a)(5)

Within the previous six months, the Employer failed and refused to recognize the union as the collective bargaining representative of its employees.

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining

representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
Doctor excuse do not count if you sick .	04/23/2020
Time work schedule change	01/01/2020
PTO request had be in by April 30 for supervisor o	
We had use our personal phone for work	02/25/2020
Racial behavior	03/2019/2020



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

August 7, 2020

(b) (6), (b) (7)(C)

REGION 10

233 Peachtree St NE

Harris Tower Ste 1000

Atlanta, GA 30303-1504

Memorial Health University Medical Center 4700 Water Avenue Savannah, GA 31415

Re: Memorial Health University Medical Center

Case 10-CA-264287

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Nicole Deitman whose telephone number is (470)343-7479. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA HENDERSON Acting Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011 NATIONAL LABOR RELATIONS BOARD						
QUESTIONNAIRE ON COMMERCE INFORMATION						
Please read carefully, answer all applicable ite	ms, and return to the NLRB Office. If addit	ional spac	ce is required, please add a page	and identify item number.		
CASE NAME				CASE NUMBER		
1 DVACELEGAL EXPLE OF DAMPING	(A. 61.)			10-CA-264287		_
1. EXACT LEGAL TITLE OF ENTITY ((As filed with State and/or stated in leg	al docum	ents forming entity)			
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] I	LP [] PARTNERSHIP [] SOI	LE PROP	RIETORSHIP [] OTHER	R (Specify)		
3. IF A CORPORATION or LLC						
A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATI	ONSHIP	(e.g. parent, subsidiary) OF AL	L RELATED ENTITIES		
4. IF AN LLC OR ANY TYPE OF PART	INERSHIP, FULL NAME AND ADDR	ESS OF	ALL MEMBERS OR PART	NERS		
5. IF A SOLE PROPRIETORSHIP, FUL	LL NAME AND ADDRESS OF PROPE	RIETOR				
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Products	handled o	r manufactured, or nature of se	rvices performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH LO	OCATIO	NS:			
	27 22217622 2		- 12-			
9 MIMBED OF BEODIE DESENTED	ZEMBLOVED					_
8. NUMBER OF PEOPLE PRESENTLY A. Total:	B. At the address involved in this	mattar				
			2 MONTHS LIFICA	I VD (EV later		١
9. DURING THE MOST RECENT (Che	ck appropriate box): [] CALENDAR 1	K []I	2 MONTHS or [] FISCA	L YR (FY dates	YES	NO
A. Did you provide services valued in	excess of \$50,000 directly to custom	ers outsi	de your State? If no, indica	te actual value.		
\$					<u> </u>	
B. If you answered no to 9A, did you p						
valued in excess of \$50,000 from di	rectly outside your State? If no, indi	cate the	value of any such service	es you provided.		
C. If you answered no to 9A and 9B, did	l vou provide services valued in exc	ess of \$5	0.000 to public utilities, tra	nsit systems.	<u> </u>	
	broadcasting stations, commercial b					
less than \$50,000, indicate amount.						
D. Did you sell goods valued in excess	of \$50,000 directly to customers loca	ated outs	ide your State? If less than	\$50,000, indicate		
amount. \$ E. If you answered no to 9D, did you so	ell goods valued in excess of \$50 000) directly	to customers located inside	vour State who	1	
	tess of \$50,000 from directly outside					
\$						
F. Did you purchase and receive good	ds valued in excess of \$50,000 from	directly of	outside your State? If less t	han \$50,000, indicate		
amount. \$ G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points						
outside your State? If less than \$50,000, indicate amount. \$						
H. Gross Revenues from all sales or performance of services (Check the largest amount)						
	00,000 [] \$1,000,000 or more If le		100,000, indicate amount.			
I. Did you begin operations within	the last 12 months? If yes, specify	date: _				
10 ARE YOU A MEMBER OF AN ASSO	OCIATION OR OTHER EMPLOYER	GROUP	THAT ENGAGES IN COLL	ECTIVE BARGAINING	?	
[] YES [] NO (If yes, name and address of association or group).						
11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS						
NAME TITLE E-MAIL ADDRESS TEL. NUMBER						
	RIZED REPRESENTATIVE (COMPI	FTING THIS OHEST	IONNAIDE		
NAME AND TITLE (Time on Drive)		01,11				
NAME AND TITLE (Type or Print)	SIGNATURE		E-MAIL ADDRESS		TE	

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

MEMORIAL HEALTH	UNIVERSITY
MEDICAL CENTER	

Charged Party

and

Case 10-CA-264287

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 7, 2020, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Memorial Health University Medical Center 4700 Water Avenue Savannah, GA 31415

August 7, 2020	Judy D. Bailey, Designated Agent of NLRB	
Date	Name	
	/2/I-1-D D-11	
	/s/Judy D. Bailey	
	Signature	



REGION 10 233 Peachtree St NE Harris Tower Ste 1000 Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

Download NLRB Mobile App

August 7, 2020



Re: Memorial Health University Medical Center

Case 10-CA-264287

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on August 06, 2020 has been docketed as case number 10-CA-264287. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Nicole Deitman whose telephone number is (470)343-7479. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA HENDERSON Acting Regional Director

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Individual	
and Memorial Health University Medical Center	CASE 10-CA-264287
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	IVE OF
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY VIDOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN CASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFORM	MATION)
Jill Harrison NAME:	
MAILING ADDRESS: 271 17th Street, NW, Suite 1900, Atlanta, G	Georgia 30363
E-MAIL ADDRESS: jharrison@fordharrison.com	
OFFICE TELEPHONE NUMBER: 404-888-3844	
CELL PHONE NUMBER: 404-514-0074	FAX:
SIGNATURE: (Please sign in ink.) DATE: 08/11/2020	

 $^{^{\}rm 1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

FORM EXEMPT	UNDER 44	U,\$.C 3512
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(2-08) FIRST AMENDED

DO NOT WRITE IN THIS SPACE Case Date Filed

10-CA-264287

August 28, 2020

INSTRUCTIONS:		August 20, 2020
File an original with NLRB Regional Director for the region in which		ring.
	AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No. (615) 344-9551
Memorial Health University Medical center		
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative	I. Fax No.
		g. e-Mail
4700 Water Ave	(b) (6), (b) (7)(C)	int.contact@hcacare
GA Savannah 31415		
		h. Number of workers employed 12
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	
Healthcare Facilities	Hospital	
k. The above-named employer has engaged in and is engagin		oction 9/a), submostlone (1) and //let
subsections)	•	,,
•		bor Relations Act, and these unfair labor
practices are practices affecting commerce within the mean within the meaning of the Act and the Postal Reorganization		infair practices affecting commerce
2. Basis of the Charge (set forth a clear and concise statemen	nt of the facts constituting the alleged unfall labor r	practices)
On or about 1010101010102020, the above-named employer threa		-
activities.		
On or about (b)(6),(b)(7)(c) 020, the above-named employer disch	narged(b) (6), (b) (7)(C) in retaliation fol ^{றை} prot	tected concerted activities.
	•	
3. Full name of party filing charge (if labor organization, give to	ull name, including local name and number)	
(b) (6), (b) (7)(C)	, , , , , , , , , , , , , , , , , , , ,	
		<u> </u>
4a. Address (Street and number, city, state, and ZIP code)		4b. Tel. No (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)		4c. Celi No.
(b)(b),(b)(1)(b)		4d. Fax No.
		TO TOX INC.
		4e. e-Mail
		(b) (6), (b) (7)(C)
F. M	which it is an efficient and continued out the body	
Full name of national or international labor organization of a organization)	which it is an amiliate or consument unit (to be titled	o in when charge is nied by a lador
0.5		
6. DECLARATIO	NI	Tel, No.
I declare that I have read the above charge and that the statement		(b) (6), (b) (7)(C)
(b) (6) (b) (7)(0)	(1) (2) (1) (7) (0)	
(D)(O), (D)(T)(C)	(b) (6), (b) (7)(C)	Office, if any, Cell No.
<u>Title</u>	(Print/type name and title or office, if any)	
Beautiful (1985-earlier of Indiana) and the filter earlier of 2007 in 1999 of 1987 pages.	to mary per mante and and of once, it diffy	Fax No.
		e-Mali
(b) (6), (b) (7)(C)	Aug 28,7570	(b) (6), (b) (7)(C)
Address		(D) (O) , (D) (T)
MILL OF PALAF DE ATTOMETICA AND THE CHARACTERS	DE BUILD DIVERSE AND INDRESSE AFTER	LD CODE TITLE 40 DECTION 4004)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



August 28, 2020

(b) (6), (b) (7)(C)

REGION 10

233 Peachtree St NE

Harris Tower Ste 1000

Atlanta, GA 30303-1504

Memorial Health University Medical Center 4700 Water Avenue Savannah, GA 31415

Re: Memorial Health University Medical Center

Case 10-CA-264287

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Nicole Deitman whose telephone number is (470)343-7479. If the agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site

(www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

SCOTT C. THOMPSON Acting Regional Director

Enclosure: Copy of first amended charge

cc: Jill Harrison, Attorney at Law Ford & Harrison, LLP 271 17th Street NW, Suite 1900 Atlanta, GA 30363

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

MEMORIAL HEALTH UNIVERSITY
MEDICAL CENTER

Charged Party

and

Case 10-CA-264287

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on August 28, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Memorial Health University Medical Center 4700 Water Avenue Savannah, GA 31415

Jill Harrison, Attorney at Law Ford & Harrison, LLP 271 17th Street NW, Suite 1900 Atlanta, GA 30363

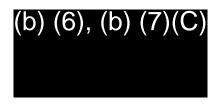
August 28, 2020	Judy D. Bailey, Designated Agent of NLRB
Date	Name
	/s/Judy D. Bailey
	Signature



REGION 10 233 Peachtree St NE Harris Tower Ste 1000 Atlanta, GA 30303-1504

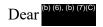
Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

August 28, 2020



Re: Memorial Health University Medical Center

Case 10-CA-264287



We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Nicole Deitman whose telephone number is (470)343-7479. If the agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

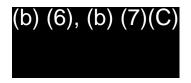
Very truly yours,

SCOTT C. THOMPSON Acting Regional Director

REGION 10 233 Peachtree St NE Harris Tower Ste 1000 Atlanta, GA 30303-1504

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

September 29, 2020



Re: Memorial Health University Medical Center Case 10-CA-264287

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that Memorial Health University Medical Center has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

You allege that on [5](6)(6)(7)(6), 2020, the Employer threatened you with termination in retaliation for your protected concerted activity and on retaliation for your protected concerted activity in violation of Section 8(a)(1) of the Act.

Contrary to your assertions, however, the investigation failed to establish that you engaged in protected concerted activity, including your complaints to the Ethics Line and your refusal to (b) (6), (b) (7)(C)

. Alstate Maintenance, LLC, 367 NLRB No. 68 (2019). The investigation revealed that your complaints were personal in nature and were not made to initiate, induce, or prepare for group action. I am, therefore, refusing to issue complaint in this matter.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal

and your written explanation of why you cannot file electronically to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on October 13, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 12, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 13, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 13, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

SCOTT C. THOMPSON Acting Regional Director

cc:

(b) (6), (b) (7)(C) Memorial Health University Medical Center 4700 Water Avenue Savannah, GA 31415

Jill M. Harrison, Attorney Ford & Harrison, LLP 271 17th Street NW, Suite 1900 Atlanta, GA 30363

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001	
Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in	•
Case Name(s).	
Case No(s). (If more than one case number, included taken.)	lude all case numbers in which appeal is
	(Signature)

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents after an Extension of Time, Appeal or Notice of Appearance has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C 3512

DO NOT WRITE IN THIS SPACE

Case Date Filed

10-CA-300495

8/2/2022

NSTRUCTIONS:			
File an original with NLRB Regional Director for the region in which the	ie alleged untair labor practice occurred or is occumi GAINST WHOM CHARGE IS BROUGHT	ng.	
a. Name of Employer Grady Memorial Hospital Corporation, Inc. dba Gra		b. Tel. N(b) (6), (b) (7)(C) c. Cell No.	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code)	e. Employer Representative		
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	g. e Mail (b)(6),(b)(7)(C)@gmh.edu	
	2/	h. Number of workers employed 700+	
 Type of Establishment (factory, mine, wholesaler, etc.) Hospital 	j. Identify principal product or service Healthcare		
k. The above-named employer has engaged in and is engaging	in unfair labor practices within the meaning of sec	tion 8(a), subsections (1) and (list	
subsections) (3)	of the National Lab	or Relations Act, and these unfair labor	
practices are practices affecting commerce within the meaning within the meaning of the Act and the Postal Reorganization		fair practices affecting commerce	
2. Basis of the Charge (set forth a clear and concise statement	of the facts constituting the alleged unfair labor pr	actices)	
Within the past six months, the Employer, by its off	icers and agents, has interfered with, re-	strained, and coerced its	
employees in the exercise of their rights under Sec			
the loss of benefits/termination for supporting the U			
conditions in retaliation for concerted activities; inci	reased supervision to intimidate employe	ees.	
3. Full name of party filing charge (if labor organization, give full	ll name, including local name and number)		
International Association of EMTs and Paramedics	, National Association of Government En	· · · · · · · · · · · · · · · · · · ·	
4a. Address (Street and number, city, state, and ZIP code) 159 Burgin Parkway		^{4b. Tel. No.} 617-376-0220	
Quincy, MA 02169		4c. Cell No.	
		^{4d. Fax No.} 617-984-5695	
		4e. e-Mail	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) National Association of Government Employees			
6. DECLARATION		Tel. No. 203-371-6170	
By exha Hall Dou	glas A. Hall, Lead Counsel	Office, if any, Cell No. 860-230-5874	
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No. 203-371-6378	
054014-1-01	08/01/2022	e Mail	
Address 3510 Main Street Bridgeport, CT 06606	(date)	dhall@nage.org	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) **PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary, however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 10 401 W. Peachtree Street, NE Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896

Fax: (404)331-2858

Download **NLRB** Mobile App

August 2, 2022

(b) (6), (b) (7)(C)

Grady Memorial Hospital Corporation, Inc. dba Grady EMS, LLC 745 Memorial Drive Atlanta, GA 30316

> Re: Grady Memorial Hospital Corporation, Inc. Case 10-CA-300495

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If this Board agent is not available, you may contact Field Examiner Neil Sagucio whose telephone number is (336)582-7141.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 NATIONAL LABOR RELATIONS BOARD (3-11)							
QUESTIONNAIRE ON COMMERCE INFORMATION							
Please read	carefully, answer all applicable items, and re	eturn to the NLRB Office.	If addition	nal space is required, please add a	a page and i	identify item number.	
CASE NAM	ME					NUMBER -300495	
1. EXACT	LEGAL TITLE OF ENTITY (As filed	with State and/or stated	d in legal (documents forming entity)			
2. TYPI	E OF ENTITY						
[] CORPO	DRATION [] LLC [] LLP [] PARTNERSHIP [[] SOLE	PROPRIETORSHIP [] O	THER (Spe	ecify)	
3. IF A CC	ORPORATION or LLC						
	OF INCORPORATION MATION	B. NAME, ADDRES	SS, AND	RELATIONSHIP (e.g. parent, su	ıbsidiary) (OF ALL RELATED E	NTITIES
4. IF AN	LLC OR ANY TYPE OF PARTNERSH	IP, FULL NAME AND	ADDRE	SS OF ALL MEMBERS OR P.	ARTNERS	8	
5. IF A S0	OLE PROPRIETORSHIP, FULL NAM	E AND ADDRESS OF P	PROPRII	ETOR			
6. BRIEF	LY DESCRIBE THE NATURE OF YO	UR OPERATIONS (Pro	oducts har	ndled or manufactured, or nature	e of service.	s performed).	
7A. PRING	CIPAL LOCATION:	7B. I	BRANCI	H LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMPLOYED							
		T					
	OTAL:			LVED IN THIS MATTER:			
					SCAL YE)
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE NAME AND TITLE (Type or Print) SIGNATURE

NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GRADY MEMORIAL HOSPITAL
CORPORATION, INC.

Charged Party

and

Case 10-CA-300495

INTERNATIONAL ASSOCIATION OF EMTS AND PARAMEDICS/NAGE/SEIU 5000

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on August 2, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Grady Memorial Hospital Corporation, Inc. dba Grady EMS, LLC 745 Memorial Drive Atlanta, GA 30316

August 2, 2022	Verone Van, Designated Agent of NLRB
Date	Name
	/s/ Verone Van
	Signature



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



August 2, 2022

International Association of EMTs and Paramedics/NAGE/SEIU 5000 159 Burgin Parkway Quincy, MA 02169

Re: Grady Memorial Hospital Corporation, Inc.

Case 10-CA-300495

Dear Sir or Madam:

REGION 10

Atlanta, GA 30308

Suite 472

401 W. Peachtree Street, NE

The charge that you filed in this case on August 02, 2022 has been docketed as case number 10-CA-300495. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If this Board agent is not available, you may contact Field Examiner Neil Sagucio whose telephone number is (336)582-7141.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Douglas A. Hall, Lead Counsel
International Association of EMT's and Paramedics
(IAEP), National Association of Government
Employees, SEIU Local 5000
3510 Main Street
Bridgeport, CT 06606-3627

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

and International Association of EMT's and Paramedics (IAEP), National Association of Government Employe	CASE 10-CA-300495 Grady Memorial Hospital Corporation, Inc. d/b/a Grady EMS, LLC
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT Respondent Grady Memorial Hospital Corporation, Inc.	TIVE OF
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY OF DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS CHARGES.	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
Peter R. Spanos NAME: 1600 Parkwood Cir,Suite 200 MAILING ADDRESS: Atlanta GA	
E-MAIL ADDRESS: pspanos@taylorenglish.com	
OFFICE TELEPHONE NUMBER: 4708938039	
4047714590 CELL PHONE NUMBER:	7704347376 _FAX:
SIGNATURE: (Please sign in ink.) DATE: Monday, August 15, 2022 1:59 PM Eastern Standard T	iime

 $^{^1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

INTERNET FORM NLR8-501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 10-CA-300495 Date Filed

INICTOI	CTIONS	

an original with NLRB Regional Director for the region in which 1. EMPLOYER	AGAINST WHOM CHARGE IS BROUGHT	
Name of Employer rady Memorial Hospital Corporation		b. Tel. No(b) (6), (b) (7)(C)
rady Methorial Hospital Corporation		c. Cell No.
	e. Employer Representative	f. Fax No.
. Address (Street, city, state, and ZIP code)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	g. e-Mail
o) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C))gmh.edu
		Number of workers employed 700+
Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service Healthcare	
t. The above-named employer has engaged in and is engag	ing in unfair labor practices within the meaning of se	ection 8(a), subsections (1) and (list
subsections) (3)	of the National La	abor Relations Act, and these unfair labor
practices are practices affecting commerce within the mea within the meaning of the Act and the Postal Reorganizati	aning of the Act, or these unfair labor practices are uon Act.	unfair practices affecting commerce
2. Basis of the Charge (set forth a clear and concise statem	ent of the facts constituting the alleged unfair labor	practices)
Nithin the past six months, the Employer, by its o	officers and agents, has interfered with, res	strained, and coerced its
employees in the exercise of their rights under Se	ection 7 of the Act by engaging in surveillar	nce, threatening employees with
	To a second of the control of the co	to the transport to the second discount
the loss of benefits/termination for supporting the	Union; removal and seizure of pro-union m	naterial; change in working
the loss of benefits/termination for supporting the conditions in retaliation for concerted activities; in	Union; removal and seizure of pro-union in creased supervision to intimidate employed	naterial; change in working
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the loss of benefits/termination for supporting the conditions in retaliation for concerted activities; in unlawfully promulgating and/or enforcing rules to rule of party filing charge (if labor organization, giv International Association of EMTs and Paramed 4a. Address (Street and number, city, state, and ZIP code) 159 Burgin Parkway Quincy, MA 02169 5. Full name of national or international labor organization organization) National Association of Government of the labor of Government of Governm	Union; removal and seizure of pro-union moreased supervision to intimidate employed restrict Section 7 activity. The full name, including local name and number) edics, National Association of Government and which it is an affiliate or constituent unit (to be fill the Employees ATION ments are true to the best of my knowledge and belief. Douglas A. Hall, Lead Counsel	Employees, SEIU Local 5000 4b. Tel. No. 617-376-0220 4c. Cell No. 4d. Fax No. 617-984-5695 4e. e-Mail Tel. No. 203-371-6170 Office, if any, Cell No. 860-230-5874

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



November 29, 2022

(b) (6), (b) (7)(C)

REGION 10

Atlanta, GA 30308

Suite 472

Grady Memorial Hospital Corporation 35 Jesse Hill Jr Dr SE Atlanta, GA 30303-3032

401 W. Peachtree Street, NW

Re: Grady Memorial Hospital Corporation

Case 10-CA-300495

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If the agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosure: Copy of first amended charge

cc: Peter R. Spanos, Attorney Taylor English Duma LLP 1600 Parkwood Cir Suite 200 Atlanta, GA 30339-2119

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GRADY MEMORIAL HOSPIT	AL
CORPORATION	

Charged Party

and

INTERNATIONAL ASSOCIATION OF EMTS AND PARAMEDICS/NAGE/SEIU 5000

Charging Party

Case 10-CA-300495

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on November 29, 2022, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Peter R. Spanos, Attorney Taylor English Duma LLP 1600 Parkwood Cir Suite 200 Atlanta, GA 30339-2119

(b) (6), (b) (7)(C)

Grady Memorial Hospital Corporation 35 Jesse Hill Jr Dr SE Atlanta, GA 30303-3032

November 29, 2022	Corinna Lawson, Designated Agent of
	NLRB
Date	Name
	/s/ Corinna Lawson
	Signature



Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



November 29, 2022

International Association of EMTs and Paramedics/NAGE/SEIU 5000 159 Burgin Parkway Quincy, MA 02169

Atlanta, GA 30308

REGION 10

Suite 472

401 W. Peachtree Street, NW

Re: Grady Memorial Hospital Corporation

Case 10-CA-300495

Dear Sir or Madam:

We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If the agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Douglas A. Hall, Lead Counsel
International Association of EMT's and
Paramedics (IAEP), National Association
of Government Employees, SEIU Local
5000
3510 Main Street
Bridgeport, CT 06606-3627

Stephanie Mutti, Attorney SEIU/IBPO/NAGE/PACE/IAEP 581 Joseph E Boone Blvd NW Atlanta, GA 30314-3839



REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

March 17, 2023

Peter R. Spanos, Attorney Taylor English Duma LLP 1600 Parkwood Cir Suite 200 Atlanta, GA 30339-2119

Re: Grady Memorial Hospital Corporation

Agency Website: www.nlrb.gov

Telephone: (404)331-2896

Fax: (404)331-2858

Case 10-CA-300495

Dear Mr. Spanos:

This is to advise you that I have approved the withdrawal of the following allegations contained in the charge in the above matter: The Employer interfered with, restrained and coerced employees in the exercise of their rights under Section 7 of the Act in violation of Section 8(a)(1) and (3) by engaging in surveillance, changing work conditions in retaliation for concerted activities, increasing supervision to intimidate employees, and soliciting grievances.

The remaining charge allegations remain subject to further processing.

Very truly yours,

Lisa Y. Henderson Regional Director

cc: (b) (6), (b) (7)(C)

Grady Memorial Hospital Corporation 35 Jesse Hill Jr Dr SE Atlanta, GA 30303-3032

Douglas A. Hall, Lead Counsel NAGE/IAEP 3510 Main Street Bridgeport, CT 06606-3627 Stephanie Mutti, Attorney SEIU/IBPO/NAGE/PACE/IAEP 581 Joseph E Boone Blvd NW Atlanta, GA 30314-3839

International Association of EMTs and Paramedics/NAGE/SEIU 5000 159 Burgin Parkway Quincy, MA 02169 FORM NLRB-501 (3-21)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD **CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE				
Case	10-CA-304536	Date Filed 10/4/2022		

INSTRUCTIONS:

NI DD Davianal Divastov for the varion in which the alleged unfair lab

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT						
a. Name of Employer	OTEN AGAINST WHOM CHANGE IS BROOKI	b. Tel. No.				
Beverly Health & Rehabilitation Services Inc d/b/a	706-647-6676					
		(b) (6), (b) (7)(C)				
		f. Fax. No.				
d. Address (Street, city, state, and ZIP code) 310 Avenue F Thomaston, GA 30286	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) HarborviewHS.com				
		h. Number of workers employed 30				
i. Type of Establishment (factory, mine, wholesaler, etc.) Skilled nursing facility	j. Identify principal product or service Nursing and rehabiliation					
The above-named employer has engaged in and is engaged	ging in unfair labor practices within the meaning o	of section 8(a), subsections (1) and				
(list subsections) (5)		al Labor Relations Act, and these unfair labor				
practices are practices affecting commerce within the mea	aning of the Act, or these unfair labor practices a	re practices affecting commerce within the				
meaning of the Act and the Postal Reorganization Act.						
2. Basis of the Charge (set forth a clear and concise state Within the previous six months, the Employer faile representative of its employees.	ed and refused to bargain in good faith with	n the Union as the collective bargaining				
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Food and Commercial Workers, Local 1996						
4a. Address (Street and number, city, state, and ZIP code 3302 McGinnis Ferry Rd. Suwanee, GA 30024	2)	4b. Tel. No.				
Suwance, GA 30024		4c. Cell No.				
		4d. Fax No.				
		4e. e-mail rporras@ufcw1996.org				
5. Full name of national or international labor organization United Food and Commercial Workers	n of which it is an affiliate or constituent unit <i>(to be</i>	e filled in when charge is filed by a labor organization)				
6. DECLARATION I declare that I have read the above charge and that the statements		Tel. No. 404-622-0521, ext. 2244				
s/ Michael B. Schoenfeld	ny knowledge and belief. Michael B. Schoenfeld, Attorney	Office, if any, Cell No.				
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.				
Stanford Fagan LLC, 2540 Lakewood Av Address GA 30315	ve. SW, Atlanta, Date Oct 4, 2022	e-mail michaels@sfglawyers.com				

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

October 4, 2022

(b) (6), (b) (7)(C)

Beverly Health & Rehabilitation Services Inc d/b/a Golden LivingCenter-Thomaston 310 Avenue F Thomaston, GA 30286

Re: Beverly Health & Rehabilitation Services

Inc d/b/a Golden LivingCenter-Thomaston

Case 10-CA-304536

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (404)331-2896. If this Board agent is not available, you may contact Supervisory Attorney Kerstin Meyers whose telephone number is (470)343-7490.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

	M NLRB-5081 (3-11)	NATIONAL LABOR REL	ATIONS BOARD			
		ONNAIRE ON COMM	ERCE INFORMATION			
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.						
_	SE NAME				NUMBER	
				10-CA	-304536	
1.	EXACT LEGAL TITLE OF ENTITY (As filed w	vith State and/or stated in lega	l documents forming entity)			
2.	TYPE OF ENTITY					
[]	CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOI	E PROPRIETORSHIP [] OT	HER (Spe	ecify)	
3.	IF A CORPORATION or LLC					
	STATE OF INCORPORATION	B. NAME, ADDRESS, AND	O RELATIONSHIP (e.g. parent, sul	bsidiary) C	OF ALL RELATED EN	NTITIES
	OR FORMATION					
4.	IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME AND ADDR	ESS OF ALL MEMBERS OR PA	RTNERS	S	
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE NAME AND TITLE (Type or Print) SIGNATURE

DATE E-MAIL ADDRESS PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

BEVERLY HEALTH & REHABILITATION
SERVICES INC D/B/A GOLDEN
LIVINGCENTER-THOMASTON

Charged Party

and

UNITED FOOD & COMMERCIAL WORKERS UNION LOCAL 1996

Charging Party

Case 10-CA-304536

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, Stephen J. Waring, the undersigned employee of the National Labor Relations Board, state under oath that on October 4, 2022, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Beverly Health & Rehabilitation Services Inc d/b/a Golden LivingCenter-Thomaston 310 Avenue F Thomaston, GA 30286

	Stephen J. Waring
October 4, 2022	Designated Agent of NLRB
Date	Name
	/s/ Stephen J. Waring
	Signature



REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308



Download NLRB Mobile App

October 4, 2022

United Food & Commercial Workers Union Local 1996 3302 McGinnis Ferry Rd, Ste 201 Suwanee, GA 30024-7148

Re: Beverly Health & Rehabilitation Services

Inc d/b/a Golden LivingCenter-Thomaston

Agency Website: www.nlrb.gov

Telephone: (404)331-2896

Fax: (404)331-2858

Case 10-CA-304536

Dear Sir or Madam:

The charge that you filed in this case on October 04, 2022 has been docketed as case number 10-CA-304536. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Alexander M. Hajduk whose telephone number is (404)331-2896. If this Board agent is not available, you may contact Supervisory Attorney Kerstin Meyers whose telephone number is (470)343-7490.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody

or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Michael B. Schoenfeld, Attorney Stanford Fagan LLC 2540 Lakewood Ave SW Atlanta, GA 30315



REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

November 15, 2022

(b) (6), (b) (7)(C)

Beverly Health & Rehabilitation Services Inc d/b/a Golden LivingCenter-Thomaston 310 Avenue F Thomaston, GA 30286

Re: Beverly Health & Rehabilitation Services

Inc d/b/a Golden LivingCenter-Thomaston

Case 10-CA-304536

Dear (b) (6), (b) (7)(C)

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: Michael B. Schoenfeld, Attorney Stanford Fagan LLC 2540 Lakewood Ave SW Atlanta, GA 30315

> United Food & Commercial Workers Union Local 1996 3302 McGinnis Ferry Rd Ste 201 Suwanee, GA 30024-7148

FORM NLRB-501 (3-21)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE		
	Date Filed	
10-CA-306259	10/31/2022	

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or isoccurring	ıg.
	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer		b. Tel. No.
Select Specialty Hospital		(404) 873-2871
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e. Employer Representative]
705 Juniper St NE	(b) (6), (b) (7)(C)	g. e-mail
		(b) (6), (b) (7)(C)@selectmedical.com
GA Atlanta 30308		h. Number of workers employed
		75
i. Type of Establishment (factory, mine, wholesaler, etc.)	i. Identify principal product or service	
Healthcare Facilities	hospital	
The above-named employer has engaged in and is engag	<u> </u>	8(a) subsections (1) and
(list subsections) 1		elations Act, and these unfair labor
practices are practices affecting commerce within the mea		,
meaning of the Act and the Postal Reorganization Act.	, , , , , , , , , , , , , , , , , , , ,	3
2. Basis of the Charge (set forth a clear and concise state	ment of the facts constituting the alleged unfair labor prac	
,	,	,
Coo additional mana		
See additional page		
(b) (6), (b) (7)(C) party filing charge (if labor organization, g	ive full name, including local name and number)	
4a. Address (Street and number, city, state, and ZIP code	9)	4b. Tel. No.
		(b) (6), (b) (7)(C)
(h) (6) (h) (7)(C)		4c. Cell No.
(b) (6), (b) (7)(C)		
		4d. Fax No.
		4e. e-mail
		(b) (6), (b) (7)(C)
5. Full name of national or international labor organization	n of which it is an affiliate or constituent unit (to be filled in w	then charge is filed by a labor organization)
6. DECLA I declare that I have read the abo		Tel. No.
	_	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) are true to the best of m		Office, if any, Cell No.
	(b) (6), (b) (7)(C)	
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
(b) (6) (b) (7)(C)		
(b) (6), (b) (7)(C)	Date 10/31/2022 09:11:55 AM	e-mail
Addres	DSIG 10/21/2022 08:11/20 VM	(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee discharged	Approximate date of discharge
(b) (6), (b) (7)(C)	^{ଭାରେ ଭାଟ} /2022



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

November 1, 2022

(b) (6), (b) (7)(C)

Select Specialty Hospital 705 Juniper St NE Atlanta, GA 30308

Re: Select Specialty Hospital Case 10-CA-306259

Dear (b) (6), (b) (7)(C):

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Honors Attorney Demi Kim whose telephone number is (470)343-7508. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

- 2 -

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

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* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 (3-11)	NATIONAL LABOR RELATIONS BOARD	_		
QUESTIONNAIRE ON COMMERCE INFORMATION				
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.				
CASE NAME	CASE NUMBER			
1 EVACTICAL TITLE OF ENTITY (A. S. J.	with State and/or stated in legal documents forming entity)			
1. EAACT LEGAL TITLE OF ENTITY (AS men	with State and/or stated in regai documents forming entity)			
2. TYPE OF ENTITY				
	[] PARTNERSHIP [] SOLE PROPRIETORSHIP [] OTHER (Specify)			
3. IF A CORPORATION or LLC				
A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES			
OR FORMATION				
4. IF AN LLC OR ANY TYPE OF PARTNERSH	IIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS			
5. IF A SOLE PROPRIETORSHIP, FULL NAMI	E AND ADDRESS OF PROPRIETOR			
6. BRIEFLY DESCRIBE THE NATURE OF YO	UR OPERATIONS (Products handled or manufactured, or nature of services performed).			
7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:			
0 MIMBED OF BEODY E DDECEMENT V FAIDLO	OVER			
8. NUMBER OF PEOPLE PRESENTLY EMPLO A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:			
	propriate box): [] CALENDAR [] 12 MONTHS or [] FISCAL YEAR (FY DATES)			
or Details 122 income up	YES NO			
A. Did you provide services valued in excess of \$50.	0,000 directly to customers outside your State? If no, indicate actual value.			
-	es valued in excess of \$50,000 to customers in your State who purchased	_		
_	outside your State? If no, indicate the value of any such services you			
provided. \$	le services valued in excess of \$50,000 to public utilities, transit systems,	_		
	stations, commercial buildings, educational institutions, or retail concerns?			
If less than \$50,000, indicate amount. \$	irectly to systemass located outside your State? If less than \$50,000 indicate	_		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$				
E. If you answered no to 9D, did you sell goods value	-1:			
purchased other goods valued in excess of \$50,000 \$	0 from directly outside your State? If less than \$50,000, indicate amount.			
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\$ F. Did you purchase and receive goods valued in exindicate amount. \$	0 from directly outside your State? If less than \$50,000, indicate amount. xcess of \$50,000 from directly outside your State? If less than \$50,000,			
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PRIVACY ACT STATEMENT

DATE

E-MAIL ADDRESS

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

SIGNATURE

NAME AND TITLE (Type or Print)

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

SELECT SPECIALTY HOSPITAL	
Charged Party	
and	Case 10-CA-306259
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAINS I, the undersigned employee of the National Labor Relationship November 1, 2022, I served the above-entitled document following persons, addressed to them at the following action (b) (6), (b) (7)(C) Select Specialty Hospital	tions Board, state under oath that on at(s) by post-paid regular mail upon the
705 Juniper St NE Atlanta, GA 30308	
November 1, 2022	Corinna Lawson, Designated Agent of NLRB
Date	Name

/s/ Corinna Lawson

Signature

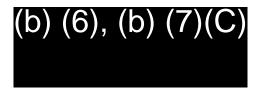


UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858 Download NLRB Mobile App

November 1, 2022



Re: Select Specialty Hospital Case 10-CA-306259

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on October 31, 2022 has been docketed as case number 10-CA-306259. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Honors Attorney Demi Kim whose telephone number is (470)343-7508. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Select Specialty Hospital-Midtown Atlanta	
and	CASE 10-CA-306259
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Wash ngton, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Wash ngton, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	IVE OF
Select Specialty Hospital-Midtown Atlanta	
IN THE ABOVE-CAPTIONED MATTER.	
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW:	
REPRESENTATIVE IS AN ATTORNEY	
☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY V DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN CASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS VILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
NAME: C. Thomas Davis	
MAILING ADDRESS: Ogletree Deakins Law Firm, 401 Commerce	ee Street, Suite 1200, Nashville, TN 37219
E-MAIL ADDRESS: tom.davis@ogletreedeakins.com	
office telephone number: (615) 254-1900	
CELL PHONE NUMBER:	_{FAX:} (615) 254-1908
// T	
SIGNATURE: /s/ Tom Davis (Please sign in ink.) November 14, 2022	
DATE: November 14, 2022	

 $^{^{\}rm 1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

December 15, 2022

C. Thomas Davis, Attorney Ogletree Deakins Law Firm 401 Commerce St Ste 1200 Nashville, TN 37219

Re: Select Specialty Hospital Case 10-CA-306259

Dear Mr. Davis:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

LISA Y. HENDERSON Regional Director

cc: (b) (6), (b) (7)(C)

Select Specialty Hospital 705 Juniper St NE Atlanta, GA 30308

(b) (6), (b) (7)(C)

2023-01-18 04:23:09 GMT

(b) (6), (b)

From (b) (6), (b)

FORM NLRS-501 (3-21) UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

,	DO NOT WRITE IN THIS	SPACE
:	Case	Date Filed
	10-CA-310415	1/17/2023

INSTRUCTIONS:

a. Name of Employer GRADY HEALTH SYSTEM		b. Tel. No. 404-616-1000
		c. Cell No.
		I. Fax. No.
i, Address (Singet, ety. state, and ZIP code) 80 JESSE HILL JR. DRIVE, SE ATLANTA, GA 30303	(b) (6), (b) (7)(C)	g. e-mail (b) (6), (b) (7)(C)@gmh.edu
		h. Number of workers employed 3,082
Type of Establishment (factory, mine, wholesaler, etc.) HEALTH CARE	Identity principal product or service HEALTH CARE	
et subsections) ractices are practices affecting commerce within the m reming of the Act and the Postal Reorganization Act.		abor Relations Act, and these unfair labor practices affecting commerce within the
b) (6), (b) (7)(C) BEING CN (6), (b) (7)(C) ROSTION AND IMMEDIATED	EADERSHIP AND HUMAN RESOURCES I	or practices) REGARDING (b) (6), (b) (7)(C) IS GIVEN THE TING ME AND DECREASING MY
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UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

NLRB Mobile App

January 18, 2023

(b) (6), (b) (7)(C)

80 Jesse Hill Jr Dr SE Atlanta, GA 30303

> Re: Grady Health System Case 10-CA-310415

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

- 3 -

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

FORM NLRB-5081 (3-11)	NATIONAL LABOR RELA	TIONS BOARD			
	ONNAIRE ON COMME	RCE INFORMATION			
Please read carefully, answer all applicable items, and re			age and id	lentify item number.	
CASE NAME		, , , , , , , , , , , , , , , , , , ,		NUMBER	
			10-CA-	310415	
1. EXACT LEGAL TITLE OF ENTITY (As filed w	vith State and/or stated in legal	documents forming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] LLP [] PARTNERSHIP [] SOLI	E PROPRIETORSHIP [] OTH	ER (Spec	rify)	
3. IF A CORPORATION or LLC					
A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND	RELATIONSHIP (e.g. parent, subst	diary) Ol	F ALL RELATED EN	NTITIES
OR FORMATION					
4. IF AN LLC OR ANY TYPE OF PARTNERSHI	P, FULL NAME AND ADDRI	SS OF ALL MEMBERS OR PAR	TNERS		
5. IF A SOLE PROPRIETORSHIP, FULL NAME	AND ADDRESS OF PROPRI	ETOR			
				-	
6. BRIEFLY DESCRIBE THE NATURE OF YOU	JR OPERATIONS (Products he	andled or manufactured, or nature of	services	performed).	
7A. PRINCIPAL LOCATION:	7B. BRANC	H LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMPLO	YED				
A. TOTAL:	B. AT THE ADDRESS INVO				
A. TOTAL: 9. DURING THE MOST RECENT (Check the app			AL YEA) NO
9. DURING THE MOST RECENT (Check the app	ropriate box): [] CALENDAR	R []12 MONTHS or []FISC		YES	NO NO
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NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

GRADY HEALTH SYSTEM	
Charged Party	
and	Case 10-CA-310415
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AG	GAINST EMPLOYER
I, the undersigned employee of the National Laboratury 18, 2023, I served the above-entitled doctor following persons, addressed to them at the following	ument(s) by post-paid regular mail upon the
(b) (6), (b) (7)(C) 80 Jesse Hill Jr Dr SE Atlanta, GA 30303	
January 18, 2023	Corinna Lawson, Designated Agent of NLRB
Date	Name
	/s/Corinna Lawson
	Signature

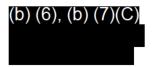


UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858



January 18, 2023



REGION 10

Atlanta, GA 30308

Suite 472

401 W. Peachtree Street, NW

Re: Grady Health System Case 10-CA-310415

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on January 17, 2023, has been docketed as case number 10-CA-310415. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Anna M. Cobb whose telephone number is (470)343-7476. If this Board agent is not available, you may contact Supervisory Field Attorney Matthew Turner whose telephone number is (470)343-7497.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. To ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

<u>Controlled Unclassified Information (CUI)</u>: This National Labor Relations Board (NLRB) proceeding may contain Controlled Unclassified Information (CUI). Subsequent information in this proceeding may also constitute CUI. National Archives and Records Administration (NARA) regulations at 32 CFR Part 2002 apply to all executive branch agencies that designate or handle information that meets the standards for CUI.

* * *

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

LISA Y. HENDERSON Regional Director

Enclosure

1. Important Information About NLRB Investigations for Immigrant Workers (English & Spanish)



Important Information About NLRB Investigations for Immigrant Workers



The National Labor Relations Act (NLRA) protects most private-sector employees, <u>regardless</u> of their immigration status. The NLRA gives employees the right to:

- Form, join, or assist a union to negotiate concerning wages and other working conditions.
- ➤ Discuss wages and other working conditions with coworkers, a union, a worker center, a government agency, the media, or the public.
- Take collective action with coworkers to try to improve wages and other working conditions.
- ➤ Choose not to take part in any of these actions.

Below is important information for you to know about our confidential investigation process:

- Because immigration status is not relevant as to whether there has been a violation of the NLRA:
 - We will **NOT** ask you about your immigration status.
 - O You **DO NOT** need to share any information with us about your immigration status.
 - You DO NOT need to share information about the status of your current/former coworkers.
- We only enforce the NLRA and have **NO** involvement with the enforcement of immigration laws.
- We will **NOT** share any information about you with the Department of Homeland Security (DHS), including Immigration and Customs Enforcement (ICE), or any other immigration authorities, unless you request that we share your information to assist you with seeking immigration relief, as described in the last bulleted point of this document.
- If you have concerns about appearing at our offices for any reason, please speak with the Board Agent assigned to the case about other methods of participating in the investigation, including taking your affidavit outside of our office or by video.
- Our investigations are confidential, which means that we will NOT disclose your affidavit to an employer, unless you testify at a trial, or we seek a federal court injunction.
- If you are not comfortable communicating with us in English, we will make an interpreter available to provide assistance and information in your preferred language.
- If you are aware that an employer or union has engaged in any of the following conduct, please tell the Board Agent about it because it may violate the law:

- Threatening to call DHS or ICE or making other similar threats because you or other employees have engaged in union activity or other collective action to improve working conditions.
- Asking employees to provide new or updated immigration documents/papers or reverifying employees' work authorization without a valid, non-discriminatory reason, which could violate the NLRA or other laws.
- If, at the end of the investigation, we determine there is merit to the charge (the employer or union has violated the law) and we have to litigate the case before an Administrative Law Judge, we will make every effort to prevent the employer or union from asking you about your immigration status.
- If you have filed a charge or are a witness and you or your representative tells us that there is NLRA protected activity at a worksite and immigration relief is necessary to protect employees who are exercising those rights or participating in the NLRB process, the NLRB will consider seeking immigration relief for employees at that worksite including deferred action, parole, U or T visa status, or other relief as available and appropriate. The NLRB cannot provide immigration advice. If you need immigration counsel, a list of providers of free legal services is available here: https://www.justice.gov/eoir/list-pro-bono-legal-service-providers.

For more information on the NLRB, please visit our website, www.nlrb.gov.



Información Importante Acerca de las Investigaciones de la NLRB para los Trabajadores Inmigrantes



La Ley Nacional de Relaciones del Trabajo (NLRA por sus siglas en inglés) protege a la mayoría de los empleados del sector privado, <u>independientemente</u> de su estatus migratorio. La NLRA les da a los empleados el derecho a:

- Formar, afiliarse o ayudar a una unión para negociar sobre los salarios y otras condiciones de trabajo.
- Discutir los salarios y otras condiciones de trabajo con los compañeros de trabajo, una unión, un centro de trabajadores, una agencia gubernamental, los medios de comunicación o el público.
- > Tomar acciones colectivas con los compañeros de trabajo para tratar de mejorar los salarios y otras condiciones de trabajo.
- > Optar por no participar en ninguna de estas acciones.

A continuación, le presentamos información importante que debe conocer acerca de nuestro proceso de investigación confidencial:

- Porque el estatus migratorio no es pertinente si ha habido una violación de la NLRA:
 - o Nosotros **NO** le preguntaremos sobre su estatus migratorio.
 - Usted NO NECESITA compartir ninguna información con nosotros acerca de su estatus migratorio.
 - Usted NO NECESITA compartir ninguna información sobre el estatus [migratorio] de sus actuales/antiguos compañeros de trabajo.
- Sólo hacemos cumplir la NLRA y **NO** estamos involucrados en el cumplimiento de las leyes de inmigración.
- NO compartimos ninguna información sobre usted con el Departamento de Seguridad Nacional (DHS por sus siglas en inglés), incluyendo el Servicio de Inmigración y Control de Aduanas (ICE por sus siglas en inglés) o cualquier otra autoridad de inmigración, a menos que usted solicite que compartamos su información para ayudarle a buscar alivio migratorio, como se describe en el último punto de este documento.
- Si tiene preocupaciones acerca de presentarse en nuestras oficinas por cualquier razón, por favor hable con el agente de la Junta asignado al caso sobre otras maneras de participar en la investigación, incluyendo tomar su declaración jurada fuera de nuestra oficina o por video.
- Nuestras investigaciones son confidenciales, lo que significa que **NO** divulgaremos su declaración jurada a un empleador, a menos que usted testifique en un juicio, o que busquemos un mandato judicial federal.
- Si no está cómodo/a comunicándose con nosotros en inglés, tendremos un intérprete disponible para proporcionarle asistencia e información en su idioma predilecto.

- Si usted sabe que un empleador o unión ha incurrido en alguna de las siguientes conductas, por favor infórmele al agente de la Junta ya que puede violar la ley:
 - Amenazar con llamar al DHS o al ICE o hacer otras amenazas similares porque usted u otros empleados han participado en actividades sindicales u otras acciones colectivas para mejorar las condiciones de trabajo.
 - Pedir a los empleados que proporcionen documentos/papeles de inmigración nuevos o actualizados o volver a verificar la autorización de trabajo de los empleados sin una razón válida y no discriminatoria, que podría violar la NLRA u otras leyes.
- Si, al final de la investigación, determinamos que el cargo tiene mérito (el empleador o la unión han violado la ley) y tenemos que litigar el caso frente a un Juez de Ley Administrativa, haremos todo lo posible para evitar que el empleador o la unión le pregunten sobre su estatus migratorio.
- Si usted ha presentado un cargo o es un testigo y usted o su representante nos dice que se hay una actividad protegida por la NLRA en un lugar de trabajo y que es necesario un alivio migratorio para proteger a los empleados que están ejerciendo esos derechos o participando en el proceso de la Junta Nacional de Relaciones del Trabajo (NLRB por sus siglas en ingles), la NLRB considerará la posibilidad de buscar un alivio migratorio para los empleados en ese lugar de trabajo, incluyendo la acción diferida, la libertad condicional, visas U o T u otro alivio en la medida en que esté disponible y sea apropiado. La NLRB no puede proporcionar asesoramiento de inmigración. Si necesita asesoramiento de inmigración, una lista de proveedores de servicios legales sin costo se encuentra disponible aquí (en inglés): https://www.justice.gov/eoir/list-pro-bono-legal-service-providers.

Para más información acerca de la NLRB, por favor visite nuestra página web, www.nlrb.gov.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

and Individual	CASE 10-CA-310415 Grady Health System
EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT Grady Health System	IVE OF
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY	
IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY OF DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMEN CASEHANDLING MANUAL.	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
Peter R. Spanos	
1600 Parkwood Cir,Suite 200 MAILING ADDRESS: Atlanta GA	
E-MAIL ADDRESS: pspanos@taylorenglish.com	
OFFICE TELEPHONE NUMBER: 4708938039	
4047714590 CELL PHONE NUMBER:	7704347376 _FAX:
PRSpanos	
SIGNATURE:	
(Please sign in ink.) DATE: Thursday, February 2, 2023 11:55 AM Eastern Standar	rd Time

 $^{^1}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 10 401 W. Peachtree Street, NW Suite 472 Atlanta, GA 30308

Agency Website: www.nlrb.gov Telephone: (404)331-2896 Fax: (404)331-2858

May 9, 2023

Peter R. Spanos, Attorney Taylor English Duma LLP 1600 Parkwood Cir, Suite 200 Atlanta, GA 30339-2119

Re: Grady Health System

Case 10-CA-310415

Dear Mr. Spanos:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

LISA Y. HENDERSON

Regional Director

ce: (b) (6), (b) (7)(C)

80 Jesse Hill Jr Dr SE Atlanta, GA 30303

(b) (6), (b) (7)(C)

Gary Martoccio, Attorney 4890 West Kennedy Blvd, Suite 950 Tampa, FL 33609 Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
12-CA-267725	10/16/2020

THE ALL LANGUIGH CH WHO CHANGE	Director in which the alleged and a labor practice EMPLOYER AGAINST WHOM CHARGE IS 8	POLICET
	EMPLOTER AGRICULT HAS THE CLASSIC CONTROL TO CH	h, Tel. No.
a. Name of Employer	(229)244-7368	
PruittHealth Valdosta d/b/a as Lowndo	es County riedau	c, Cell No.
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No.
2501 North Ashley Street, Valdosta,	(b) (6) (b) $(7)(C)$	
GA 31602	(D)(D),(D)(T)(D)	g. e-Mail
GA 31802		h. Dispute Location (City and State)
		Valdosta, GA
	The state of the s	k. Number of workers at dispute location
Type of Establishment (factory, nursing home,	j. Principal Product or Service	
hotel)	Geriatric/adult care	100
Nursing Home		
The above-named employer has engaged in and	t is engaging in unfair labor practices within the	meaning of section 8(a), subsections (1) of the
The appre-named employer has engaged in only telegraph Labor Relations Act, and these unfair lab	or practices are practices affecting commerce w	integring of section of the Act, or these unfair labor roganization Act.
ractions are united discusses enterent continuence.	MACINI GIE INDEGING OF CITY	to the technic property and
Basis of the Chame (set forth a clear and conci-	se statement of the facts constituting the alleger	employee(b) (6), (b) (7)(C) in retaliation for
On about 2020, the Employer	refused to promote and discharged e	HUTHON SE(P) (P) (P) (P) (P)
protected concerted activities.		
of Orected Solver, lost contribute.		And the same of th
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PLNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1801)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et zey. The principal use of the information is to assist the National Labor Relations Board (NLRS) in processing unities is borr practice and related proceedings or hitigation. The mutine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2008). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

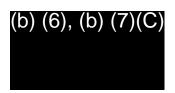


UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD



Agency Website: www.nlrb.gov Telephone: (813)228-2641 Fax: (813)228-2874 Download NLRB Mobile App

October 19, 2020



REGION 12

201 E Kennedy Blvd Ste 530

Tampa, FL 33602-5824

Re: PruittHealth Valdosta d/b/a as Lowndes

County Health Case 12-CA-267725

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on October 16, 2020 has been docketed as case number 12-CA-267725. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney SUSY KUCERA whose telephone number is (786)812-7991. The mailing address is 51 SW 1st Ave Ste 1320, Miami, FL 33130-1623. If this Board agent is not available, you may contact Resident Officer SHELLEY B. PLASS whose telephone number is (786)812-7987.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board

agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance. *Nosotros podemos proveer asistencia a las personas quienes están limitados en su habilidad de hablar el ingles o quienes se encuentran incapacitados en alguna manera. Favor de informarnos si usted o alguno de sus testigos desean tal asistencia.*

Very truly yours,

David Cohen

DAVID COHEN Regional Director



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD



Download NLRB Mobile App

REGION 12 201 E Kennedy Blvd Ste 530 Tampa, FL 33602-5824

October 19, 2020

Fax: (813)228-2874

Agency Website: www.nlrb.gov

Telephone: (813)228-2641

(b) (6), (b) (7)(C)

PruittHealth Valdosta d/b/a Lowndes County Health 2501 North Ashley Street Valdosta, GA 31602

Re: PruittHealth Valdosta d/b/a as Lowndes

County Health
Case 12-CA-267725

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney SUSY KUCERA whose telephone number is (786)812-7991. The mailing address is 51 SW 1st Ave Ste 1320, Miami, FL 33130-1623. If this Board agent is not available, you may contact Resident Officer SHELLEY B. PLASS whose telephone number is (786)812-7987.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

David Cohen

DAVID COHEN Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR RELAT	TIONS BOARD			
QU	ESTIONNAIRE ON COMMERC	CE INFORMATION			
Please read carefully, answer all applicable ite	ms, and return to the NLRB Office. If addition	nal space is required, please add a page	and identify item number.		
CASE NAME		l l	CASE NUMBER		
1 PVACTICAL TITLE OF ENTITY	4 611 21 64 4 17 4 4 12 1 1		12-CA-267725		
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal	documents forming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] L	LP [] PARTNERSHIP [] SOLE	PROPRIETORSHIP [] OTHER	(Specify)		
3. IF A CORPORATION or LLC A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELATION	NSUID (a g. pagent subsidiage) OF ALL	DELATED ENTITIES		
OR FORMATION	B. NAIVIE, ADDRESS, AND RELATION	NSHIP (e.g. parent, substituty) OF ALI	C RELATED ENTITIES		
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4. IF AN LLC OR ANY TYPE OF PART	NERSHIP, FULL NAME AND ADDRE	SS OF ALL MEMBERS OR PARTN	EKS		
5. IF A SOLE PROPRIETORSHIP, FUL	L NAME AND ADDRESS OF PROPRI	ETOR			
	OF VOLUME OF THE ATTOMACE.				
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Products ha	ndled or manufactured, or nature of ser	vices performed).		
7. A. PRINCIPAL LOCATION:	B. BRANCH LOC	CATIONS:			
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED				
A. Total:	B. At the address involved in this m	atter:			
9. DURING THE MOST RECENT (Chec	ck appropriate box): [] CALENDAR YR	[] 12 MONTHS or [] FISCAL	YR (FY dates	TITE O	
				YES	
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

PRUITTHEALTH VALDOSTA D/B/A AS
LOWNDES COUNTY HEALTH

Charged Party

and

Case 12-CA-267725

(b) (6), (b) (7)(C)

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 19, 2020, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

PruittHealth Valdosta d/b/a as Lowndes County Health 2501 North Ashley Street Valdosta, GA 31602

	Latoria Grinder,
October 19, 2020	Designated Agent of NLRB
Date	Name
	L. Grinder
	Signature

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

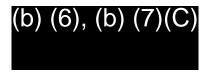
	· ·	
(b) (6), (b) (7)(C)		
and		CASE 12-CA-267725
Lowndes County Health Services, PruittHealth-Valdosta	, LLC d/b/a	
NATI	CUTIVE SECRETARY IONAL LABOR RELATIONS BOARD ington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS A Lowndes County Health Services, L		
IN THE ABOVE-CAPTIONED MATTER.		
CERTAIN DOCUMENTS OR CORRESPON BOX MUST BE CHECKED. IF THIS BOX	NEY ORNEY, IN ORDER TO ENSURE T NDENCE FROM THE AGENCY IN IS NOT CHECKED, THE PARTY V	THAT THE PARTY MAY RECEIVE COPIES OF ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN TS AS DESCRIBED IN SEC. 11842.3 OF THE
	(REPRESENTATIVE INFORM	MATION)
NAME: Gary Blaylock "Blake" And	rews, Jr.	
MAILING ADDRESS: 1831 Timothy E		
E-MAIL ADDRESS: blake@blakeand	rewslaw.com	
OFFICE TELEPHONE NUMBER: 770-8		
CELL PHONE NUMBER: 770-828-62		FAX: 866-828-6882
SIGNATURE: (Please sign in ink.) DATE: 11-02-7030		

 $^{^{\}rm I}$ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

REGION 12 201 E Kennedy Blvd, Ste 530 Tampa, FL 33602-5824

Agency Website: www.nlrb.gov Telephone: (813)228-2641 Fax: (813)228-2874

November 19, 2020



Re: PruittHealth Valdosta d/b/a as Lowndes

County Health Case 12-CA-267725

Dear (b) (6), (b) (7)(C)

We have carefully investigated and considered your charge that PruittHealth Valdosta d/b/a as Lowndes County Health has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See User Guide. A video demonstration which provides step-by-step instructions and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on December 3, 2020. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed no later than 11:59 p.m. Eastern Time on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 2, 2020. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the

appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 3, 2020.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 3, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

/s/ David Cohen/SBP

DAVID COHEN Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)

PruittHealth Valdosta d/b/a as Lowndes County Health 2501 North Ashley Street Valdosta, GA 31602

Gary Blaylock "Blake" Andrews, Esq. Blake Andrews Law Firm, LLC 1831 Timothy Dr Atlanta, GA 30329

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

Date:

To: General Counsel

Attn: Office of Appeals National Labor Relations Board 1015 Half Street SE Washington, DC 20570-0001	
Please be advised that an appeal is here National Labor Relations Board from the action issue a complaint on the charge in	•
Case Name(s).	
Case No(s). (If more than one case number, included taken.)	lude all case numbers in which appeal is
	(Signature)

E-FILING TO APPEALS

- 1. **Extension of Time**: This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. **File an Appeal**: If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only one (1) Appeal can be e-filed to each determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. **Notice of Appearance**: Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. **Correspondence**: Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.
- 5. **Position Statement**: The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.
- 6. **Withdrawal Request**: If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed after an Extension of Time, Appeal or Notice of Appearance has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.